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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/788,603	02/21/2001	Elin R. Pedersen	106143	4550

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EXAMINER

ZHOU, TING

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 05/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/788,603

Applicant(s)

PEDERSEN ET AL.

Examiner

Ting Zhou

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2006.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3-11, 13-20, 22 and 23 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1, 3-11, 13-20, 22 and 23 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

1. The amendment filed on 14 February 2006 have been received and entered. Claims 1, 3-11, 13-20, 22 and 23 as amended are pending in the application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3-11, 13-20, 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oran et al. U.S. Patent 5,617,526 (hereinafter "Oran") and Tavori U.S. Patent 5,724,025.

Referring to claims 1 and 11, Oran teaches a method and system comprising a memory (column 3, lines 1-3) that stores associations between at least one activity stream and at least one representation element, the activity stream based on an activity that is beyond a user's perception (for example, associating the activity stream of a received electronic mail message with the representation element of a mail icon 38) (Oran: column 4, lines 44-47, column 5, lines 37-46 and Figure 6); at least one synthesizer circuit, synthesizing a value of a human sensible attribute of the at least one representation element based on changes in the at the least one activity stream and the stored associations (synthesizing the displayed icon based on changes; for example, the

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displayed icon can be modified to a mail slot with multiple envelopes in order to indicate changes in the activity stream such as the arrival of multiple mail messages) (Oran: column 5, lines 37-46); determining a user's focus of attention (users interacting with the graphical user interface) and selecting at least one of the at least one representation elements to synthesize a display attribute based on the user's focus of attention, wherein the at least one selected representation element is within the user's focus of attention (displaying the associated icon on the taskbar notification area, which is always displayed on the GUI and is therefore focused on by the user) (Oran: column 2, lines 46-56, column 4, line 44- column 5, line 60 and further shown in Figures 6-8). However, Oran fails to explicitly teach wherein the activity stream is information including at least one of external sensor information, telephone information, broadcast news information and pager information. Tavori teach a computer with a graphical display for displaying monitored information similar to that of Oran. In addition, Tavori further teaches receiving information regarding an activity stream from an external sensor (multiple sensors transmit information regarding activity streams such as the statuses of the user's vital signs) (Tavori: column 2, line 46-column 3, line 15). It would have been obvious to one of ordinary skill in the art, having the teachings of Oran and Tavori before him at the time the invention was made, to modify the user interface of Oran to include the display of information from an external sensor taught by Tavori. One would have been motivated to make such a combination in order to allow the interface to be used for medical purposes; this combination facilitates the monitoring and displaying of measured patient information, allowing fast and accurate diagnosis of the patient and allowing immediate alerts of medical emergencies when alarmed conditions occur.

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Referring to claim 3, Oran, as modified, teach the selected representation element is at the periphery of the user's focus of attention (displaying the icon on the system tray, such as shown in Figure 6, which is at the periphery of the user's focus of attention since it is displayed on the taskbar, which is designated for the display of notifications to the user) (Oran: column 1, lines 40-45).

Referring to claims 4 and 13, Oran, as modified, teach wherein the activity stream is information including external sensor information (multiple sensors transmit information regarding activity streams such as the statuses of the user's vital signs) (Tavori: column 2, line 46-column 3, line 15).

Referring to claims 5 and 14, Oran, as modified, teach wherein the human-sensible attribute is synthesized based on a selected range (a human-sensible attribute such as an alarm may be set off based on a range, i.e. upper and lower limit set points) (Tavori: column 2, line 46-column 3, line 15).

Referring to claims 6 and 15, Oran, as modified, teach wherein the human-sensible attribute is synthesized based on values outside a selected range (the human-sensible attribute of the alarm is set off when the monitored data exceeds, i.e. is outside of the set limits) (Tavori: column 2, line 46-column 3, line 15).

Referring to claims 7 and 16, Oran, as modified, teach wherein the at least one activity stream has a value outside a predicted range of values (the monitored activity streams of the user's vital signs can exceed the set limits, setting off the alarm) (Tavori: column 2, line 46-column 3, line 15).

Referring to claims 8 and 17, Oran, as modified, teach determining the predicted range of values based on monitoring at least one of the at least one activity stream (monitoring activity streams such as the user's vital signs to determine whether the monitored values exceed a set range) (Tavori: column 2, line 46-column 3, line 15).

Referring to claims 9 and 18, Oran, as modified, teach the human-sensible attribute is a display attribute (display of an icon) (Oran: Figure 6).

Referring to claims 10 and 19, Oran, as modified, teach the display attribute includes at least one of a text characteristic, a window characteristic, a desktop characteristic (displaying an icon on the desktop) (Oran: Figure 6).

Referring to claim 20, Oran, as modified, teach determining a users focus of attention by actively sensing the user's focus of attention (user's focus of attention is sensed by user's interactions with the graphical user interface) (Oran: column 4, lines 3-19 and Figures 4-5).

Referring to claims 22-23, Oran, as modified, teach wherein the activity is at least one of a scheduled event approaching and sensor values changing (sensing the activity of a change in the message sent by the application program; for example, when the change of arrival of multiple mail messages is sensed, the icon is correspondingly changed) (Oran: column 5, lines 36-45 and Figure 8).

Response to Arguments

3. Applicant's arguments with respect to claims 1, 3-11, 13-20, 22 and 23 have been considered but are moot in view of the new ground(s) of rejection.

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4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (571) 272-4058. The examiner can normally be reached on Monday - Friday 7:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached at (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TZ



KIEU D. VU
PRIMARY EXAMINER